

Compilation of Email and Written Comments
Received by Facilitation Team (May 21, 2005 – May 23, 2005)

I think there should be less or no vacation rentals in residential areas such as Haena and Wainiha because secluded areas should stay less populated, when locals that living here all there life have to get permits to camp put at the beach they have been going to all their lives and when locals cant cut through yards because the whole beach front is vacation rentals and they try to tell u something like not to pass through that's what the locals are really over dealing with!!

I was born and raised in Haena and its not cool that I would like to call "my community" is a major destination for tourism. And the fact that you can't rent a home down there without being wealthy. I would really like to see some major moves made to assure my future family's life in Haena. Seeing a home that sits there and is only used three months out of the year is not a good thing.

If every or almost every house is a vacation rental it is too hard to rent a home unless you are rich or making more than the average person where are we supposed to live? How can the up and coming generations supposed to own land or a home in the place where they were born and raised if its all owned by the main land people who vacation rent it for the money. What about the people from here!

Haena is not a visitor destination Area yet Single Family Residential property is being used for 3-, 4- and 5-unit B&Bs

These are commercial operations, without permits, in residential communities. Is there no regulation? No Law? No sheriff? Who's in charge here? The Mayor? County Council? Planning commission?

B&B's and vacation rentals are giving us higher property taxes and real estate out of reach but for all but a few residents.

B&B's and Vacation Rentals fill the lot from property line to property line, leaving too little room from parking and next to nothing for landscaping.

Last year a California couple decided to but in Hanaeli. When they told the realtor they had a \$700,000 limit, he showed them a place for \$1, 200, 000 and explained how rental income would more than cover the mortgage. They bought the house, and sure enough, rent has paid the mortgage and given them a nice profit. This year they bought a Haena lot for \$500,00 and will begin building a vacation rental this summer.

The villains here are not the buyers, the sellers, nor the realtors. The bad guys are the those who make laws, rules and regulation, and are in charge of enforcing them.

I've been paying taxes here for 38 years. Should I be happy with what I have gotten for the money?

I would like to know why Haena, a residential section, has more vacation rentals home for tourism, then house's for Local families. And the fact that few house's that are residential are outrageously overpriced. Soon we will all be forced out of our home by wealthy mainland people will no Aloha for are island, only greed. That is not what I want to see happen in the future to Kauai and hopefully I am not alone.

I feel that there is a way to many vacation rentals in Hanaeli and Haena. I've lived in Hanalei (residential) for 20 years and none of the tourist I ever seen twice. i e. too many different tourists not enough locals.

You greedy, bone-headed sell-outs ask, "where's the aloha spirit". Well, you don't get any because the aloha spirit's not for sell. Aloha starts in the heart and it synchronizes with the aina that harmonizes with the people of the aina. You people have no honor. Without honor you are nothing except greedy, and you get nothing...maybe if you work with the aina and then with a little honor and human compassion you might get a taste of aloha instead of stink-eye.

Your affordable homes are not and do not reflect nor match the wages or income of the locals who have lived here before this massive sell-out of our island, by our Mayors, past or present, the judges who won't enforce Hawaii Landlord Tenant Laws, the Planning Commission, the County Council, the realtors, developers, and the non-island greedy buyers.

So, your affordable homes would take four to five families..all living and working two and three full part-time jobs together just to pay for one of your houses. You want to say you're doing something for the aina? Where are the affordable rentals? You won't find them cuz all the long term renters had their landlord/tenant laws of Hawaii violated so that their places could be turned into vacation rentals, for sums that none of us could ever afford.

You take away all our known access points that we have always used, to fish and hunt and gather and YOU make them your exclusive property rights for your enjoyment only, and when you find out how laid back and tranquil our island lifestyle is, you go back to the greedy, controlling, violent, chaotic lifestyles you're used to, but only at an extremely high profit to yourselves so that all our taxes go so sky high we can't pay the now higher rents you've created, thereby screwing us AFTER you've left.

Then we have a Mayor with his head stuck in his butt who wants to sue instead of enforcing the laws we voted into place -- you know, kind of like that Ohana

tax break law that we voted on and won. He works for us. He's supposed to be the voice of the people, to enforce our wishes in the right way. Instead, he wants us to pay to sue ourselves. And, if that's not your head up the butt, I don't know what is. He has the audacity to tell everyone that he has solved the housing and the homeless crises by preventing those who have been forced out of their rentals because of all this greed, from camping or living off the land, any of the beaches, or remote valleys, booting the displaced out of County and State parks, and enforcing the new Hawaiian law that states it is illegal to live in your car, van, and so forth, and if those people can't find a home to live in then they can just leave and go to the Mainland...Yeah? What about those people who were born here. So, you people get no respect from us..just hostilities, and then we have the brainless defenders of the vacation rental industry who claim it's their livelihood but they never get full time work because the business people who manage them (i.e. the realtors) will never allow them to work more than 20 to 25 hours in a week so they don't have to pay medical or dental benefits. Some of them can work 40, 50, 60 hours a week but they still won't get medical and dental insurance..but if they complain their hours are reduced to part time hours. So, most of the workers have several part-time jobs just to make ends meet and that's mainly just to pay their rents, that are so extremely high because of those people sitting on their computers on the mainland buying up all the property here, sight unseen, and when they get here the first thing they want to do is butcher all our trees, all our flowers, block all our views, fill up the highways. As far as I see it, there's only three visitor destination points on the island. All the others ARE illegal and should be fined, taxed, and reconverted into long term affordable rentals.

SOLUTIONS

People who own vacation rentals should not be allowed to make a profit off of the people who live here. Further, they should not make a profit unless they have lived here 15 years or more, and live here now, and will be paying for licensing, permits and taxes without violating access points of the locals who were here first..that means no after the fact permits..

All locals who have lived here 10 or more years should get tax relief and wage increases with mandatory medical and dental benefits. What we need first are enforced or created rent control laws to protect those of us who are renters. Second, affordable rentals for those of us who don't buy into all this greed-crap that's going on.

Moratoriums on buying or building or developing commercial properties, or anything on this island unless you have lived here for 15 years or more, you live on the properties, and the properties are not going to be broken up into more illegal vacation rentals like on Ag lands, called gentlemen estates, nor multi-million-dollar vacation rentals on conservation properties or out of zoned visitor destination points. For those who have bought properties that have had known access points, especially to the beaches, the County, like it or not, we all know their legal position and how they don't want to claim responsibility for any accidents but they'll just have to create a law to protect themselves like they do with everything else. The access points would be three feet wide and the owners could put up whatever greenway vegetation fence-line

and for doing this for working with the people of the aina, they would get a tax write-off. And if they don't wish to do that for the tax write-off, it should be taken from them and given back to the people, and let the owner and the realtors dick it out with each other for not informing the buyers of what local customs and traditions are. it's time the people of this aina and this island stop getting screwed with and screwed over because our bureaucrats will not protect us. last but not least get rid of ALL these county position holders who will not work for the people nor comply with or enforce hawaii laws,unless its for the very entities who are screwing all of us,most of us know that most of you own properties,that were acquired by way of deceiving all of the real people of the aina,and for those of you new property owners that dont agree or like what I have just talked about carry your sorry asses and most of the sorry asses runnin this show back to the holes you crawled out of.

We attended the meeting of 5/21/05, and would like to be on record with our comments.

In May of 2003, we purchased a home in Wailua Homesteads. It is a two story home with 2 bedrooms and 2 baths upstairs, and 1 bedroom 1 bath downstairs. We live upstairs and use the downstairs to accommodate many members of our families when they visit Hawaii. In order to offset the high cost of ownership, we also use the downstairs as a vacation rental when not needed for our families.

Prior to making our purchase, we wanted to ascertain the status of the property. In talking with the County Planning Department, we determined that the property has been legally permitted as a Single Family Residence and an Additional Dwelling Unit.

Upon inquiring about the requirements for licensing or permitting a vacation rental, we were told that there was no license or permit required. The only thing necessary for us to do, in order to offer this as a vacation rental, was to apply for a General Excise Tax License and a Transit Accommodation Tax License. We have met this requirement and have paid all taxes.

It was never our plan to offer this downstairs space on a long term basis because this would eliminate the availability for our families. Our occupancy is very low and does not impact our neighbors. Our average occupancy is 1 week per month. We are not in the vacation rental business to make profits, we are only interested in offsetting some of our mortgage costs.

If the ability to utilize our property as a vacation rental was taken away from us, we would be forced to make the space available to a full time resident in order to meet our expenses. At the same time, our family would be forced to stay in very expensive hotel accommodations.

We have done everything possible to follow the rules, and feel that any actions taken that would take away or limit our property rights would be extremely unfair.

Growing up on Kauai I've felt blessed to be a part of the tight knit community on the N. shore. I always believed I would have the opportunity to live here and continue to be a part of that community, as I've left the island and come back again. I've begun to see the one time dream of raising my future family on the North Shore crumble. Not only that, but the future community that is made up of young families around my age on the North Shore are being forced out. This is because they have no other choice, due to affordability and availability. This is something I never thought this community would let happen. Lets take care of these families, our ohana, our community. Growing up on Kauai I felt blessed to be a part of the tight knit community on the North Shore. I always thought I would be able to afford a house on the North Shore.

Aloha. My name is _____ and I presently work for the County of Kauai in Hanalei and Haena. Recently, after I have only live in our Hanelei long term rental house at _____ Pilikoa St, for a bit over a year, the eight people residing in the house were all asked to leave. The reason being the owners, _____, are turning the house into a vacation rental home!

Two people living in this home have been there for over 10 years and have no place to move. Two others had to move off island. The rest of us just crammed into other over packed rental homes, soon to find there will be no where else for the general public and locals to live, only the rich and the elite, as well as the tourists. Now I live in a 3 bedroom with 6 others and we are all discouraged and tired of moving and making sacrifices for the benefits of non-locals and non-residents.

- 1) Vacation rentals employ many island businesses , not necessarily so with long term rentals. I only make this point to try to bring out the positives of vacation rentals.
 - a) VR's employ 1) upholsteries, 2) carpet installers as well as carpet cleaners, 3) window cleaners, 4) gardeners, 5) house cleaners, as well as putting out /supplying information of the local restaurants, boating and surfing kayaking businesses and horse back riding in the close surrounding areas. So VRs are very supportive of the people of Kauai and offer a great deal of Aloha
 - b) People don't want to go on vacation to necessarily only stay in hotels (too expensive) or stay in neighborhoods that look just like the neighborhood they live in back on the mainland. They come here for Kauai's uniqueness! Its beautiful vistas, smells, sounds and yes, even the chicken running through the landscapes.
 - c) Without this aloha, not as many people would chose to come to Kauai on vacation. Not everyone can afford to stay at the Princeville Hotel, Sheridan, Marriott or Hyatt.
 - d) Those VR's that are legal provide a great deal of money to the county and state government through the high taxes they pay. * Grandfather clause- VRs that have been in business (paying TAT and GET) at least five years should be allowed to continue.
-

I found the Planning Director's comments about enforcement laughable and his definition of long term rental as commercial extremely cynical.

My concerns are the TVRs are COMMERCE in our neighborhoods. There can be no argument about that. The "industry" is strongly represented at these meetings. Therefore I feel empathically that TVRs should be taxed as commercial entities. Tim Byrnum made the excellent point that the very elegant plan formulated by the Tax Task force should have been implemented long ago. Our Council has been extremely irresponsible in its disregard for the plan that they themselves initiated.

I also believe that there realistically should be a percentage of allowance of VTRs outside the VDAs.

But I am not hopeful that a county that discards plans that they ask for will really work for an equitable plan. After all, the County's business is real estate as long as property tax is a major form of income. (Also, we all know same planning director owns a vacation rental in Hanalei. How can we believe he will have any sense of obligation to find a solution)

My feelings concur totally with Caren Diamond's. Ditto. Ditto.

At each meeting, please have a show of hands for those who own or manage or invest in vacation rentals.
